

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:05cr16KS-RHW

CHARLES CLENDELL WALKER

NOTICE OF FORFEITURE

TO: Any and all persons or entities having or claiming an interest in the hereinafter described property:

NOTICE IS HEREBY GIVEN that on September 15, 2005, in the above-captioned case, the Honorable Judge Keith Starrett, United States District Judge for the Southern District of Mississippi, entered an Agreed Preliminary Order of Forfeiture condemning and forfeiting the following property:

REAL PROPERTY

Parcel No. 11

All of that part of the Northeast Quarter (NE1/4) of Section 6 Township 3 North, Range 13 West, Forrest County, Mississippi, lying East of Interstate Highway No. 59, LESS AND EXCEPT 3.2 acres for road rights of way to Forrest County, and comprising 35.9 acres, more or less:

A part of the Northwest Quarter of the Northwest Quarter (NW 1/4 of the NW 1/4) of Section 5, Township 3 North, Range 13 West in the County of Forrest, State of Mississippi, and more particularly described as follows, to-wit:

Commencing at the Northwest Corner of said Section 5, and run thence East along the North line of said Section for a distance of 550 feet; run thence south for a distance of 192.4 feet; run thence S 47 Degrees W for a distance of 738 feet to a point on the West line of said Section 5; run thence North along the West line of said Section for a distance of 690 feet to the Point of Beginning, LESS AND EXCEPT 0.37 acres for road R.O.W.'s to Forrest County, and containing 5.2 acres, more or less; together

with all improvements thereon and appurtenances thereunto belonging.

YOU ARE HEREBY NOTIFIED that the Agreed Preliminary Order of Forfeiture having been entered, the United States hereby gives notice of its intention to dispose of each of the forfeited properties in such manner as the Attorney General of the United States may direct. Any persons or entities having or claiming a legal right, title or interest in any of the aforementioned properties must, **WITHIN THIRTY (30) DAYS** of the final publication of this notice or **WITHIN THIRTY (30) DAYS** of actual receipt thereof, whichever is earlier, petition the United States District Court for the Southern District of Mississippi for a hearing to adjudicate the validity of his/her alleged interest in the property pursuant to Title 21, United States Code, Section 853(n). If a hearing is requested, it shall be held before the Court alone, without a jury. Petitioners will bear the burden of proof in all such cases. Petitions that fail to allege an interest sufficient to maintain a claim under Section 853(n) shall be subject to dismissal without a hearing.

The petition shall be signed by the petitioner under penalty of perjury and shall identify the particular property or properties in which the petitioner claims a legal right, title or interest; the nature and extent of the such right, title or interest in each property; the time and circumstances of the petitioner's acquisition of the right, title and interest in each property; and

any additional facts and documents supporting the petitioner's claim and the relief sought. See Title 21, United States Code, Section 853(n)(3). Corporate persons may only file claims if represented by counsel.

THE PETITION must be signed by the petitioner under penalty of perjury, as established in Title 28, United States Code, Section 1746, and will set forth the nature and extent of your right, title, or interest in this property, the time and circumstances of your acquisition of the right, title, or interest in the property and any additional facts supporting your claim and the relief sought.

Pursuant to Section 853(n), Title 21, United States Code, NEITHER A DEFENDANT IN THE ABOVE-STYLED CASE NOR HIS/HER AGENT ARE ENTITLED TO FILE A PETITION.

ANY HEARING on your petition will, to the extent practicable and consistent with the interests of justice, be held within thirty 30 days of the filing of your petition. The Court may consolidate your hearing on the petition with any other hearings requested on any other petitions filed by any other person.

YOU HAVE THE RIGHT at the hearing to testify and present evidence and witnesses on your own behalf and cross examine witnesses who appear at the hearing.

Your petition must be filed with the United States District Court for the Southern District of Mississippi at **2012 15th Street, Suite 403, Gulfport, Mississippi 39501.**

Furthermore, you must serve the United States Department of Justice with a copy of your petition to the **Assistant United States Attorney, Jerry L. Rushing** at 1575 20th Avenue, Gulfport, Mississippi 39501-2040.

IF YOU FAIL TO FILE A PETITION TO ASSERT YOUR RIGHT, TITLE, OR INTEREST IN THE ABOVE-DESCRIBED PROPERTY, WITHIN 30 DAYS OF THIS NOTICE, YOUR RIGHT, TITLE, AND INTEREST IN THIS PROPERTY WILL BE LOST AND FORFEITED TO THE UNITED STATES. THE UNITED STATES THEN WILL HAVE CLEAR TITLE TO THE PROPERTY HEREIN DESCRIBED AND MAY WARRANT GOOD TITLE TO ANY SUBSEQUENT PURCHASER OR TRANSFEREE.

J.T. NOBLIN
CLERK, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

By:


Deputy Clerk

L. Regan
Printed Name of Deputy Clerk

Dated:

Jan. 3, 2006

DUNN LAMPTON

United States Attorney

By: JERRY L. RUSHING
Assistant United States Attorney
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